

**Introduced by Senator Hancock
(Coauthor: Senator Pavley)**

February 22, 2012

An act to amend Sections 123302 and 123320 of the Health and Safety Code, relating to maternal and child health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1190, as introduced, Hancock. Women, infants, and children's nutrition.

Existing law, the California Special Supplemental Food Program for Women, Infants, and Children (WIC), under the administration of the State Department of Public Health, provides for the issuance of nutrition coupons, as defined, to certain low-income women, infants, and children who have been determined to be at nutritional risk. Under existing law, the department is required to include specified information on the nutrition coupons and, to the extent feasible, provide the information in a form that may be read by optical scanning technology readily available to vendors. Existing law requires the department to report to the Legislature by March 15, 2002, on the feasibility and costs of providing the information in that form.

This bill would extend that deadline to July 1, 2013.

Existing law authorizes the department to design, implement, and fund an electronic benefits transfer (EBT) system for WIC. Existing law requires the department to develop a plan to determine the feasibility of implementing an EBT system for WIC by January 1, 2003, and to report its findings to the Legislature by July 1, 2003.

This bill would delete the provision requiring the department to develop the feasibility plan and delete the reporting requirement. This bill would require the department to design, implement, and maintain

an EBT system for WIC by January 1, 2014, subject to funding being provided in the annual budget act.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) An electronic benefits transfer (EBT) system for the
4 California Special Supplemental Nutrition Program for Women,
5 Infants, and Children (WIC) has not yet been implemented in
6 California.

7 (b) Existing law directed the State Department of Health
8 Services to develop a plan to determine the feasibility of
9 implementing an EBT system for WIC by January 1, 2003.

10 (c) The current paper check system is cumbersome, outdated,
11 stigmatizing for participants at the checkstand, and costly to
12 operate.

13 (d) Several other states, including Texas, Michigan, Nevada,
14 and New Mexico, have fully implemented an EBT system for
15 WIC, while Pennsylvania, Oklahoma, and Arkansas are in the pilot
16 phase of implementing an EBT system for WIC.

17 (e) Accordingly, it is the intent of the Legislature to implement
18 an EBT system for WIC by 2014.

19 SEC. 2. Section 123302 of the Health and Safety Code is
20 amended to read:

21 123302. (a) (1) Notwithstanding any other provision of law,
22 the department ~~may~~ *shall* design, implement, and ~~fund~~ *maintain*
23 an electronic benefits transfer (EBT) system for the California
24 Special Supplemental Food Program for Women, Infants, and
25 Children *by January 1, 2014*. Sections 10066, 10067, and 10068
26 of, and subdivision (j) of Section 10072 of, the Welfare and
27 Institutions Code, shall apply to the administration of this section.

28 (2) The department may not implement ~~any~~ *the* EBT system
29 ~~authorized~~ *required* by this section until the department completes
30 ~~a feasibility study, and~~ funding for the system is provided in the
31 annual Budget Act.

32 (b) The department shall seek the advice of the Electronic
33 Benefits Transfer Committee, created by Section 10067 of the

1 Welfare and Institutions Code, in implementing this section, and
2 shall obtain the approval of the United States Department of
3 Agriculture, which is the federal governing agency, prior to the
4 establishment of any EBT system.

5 ~~(e) The department shall develop a plan to determine the~~
6 ~~feasibility of implementing an EBT system for the California~~
7 ~~Special Supplemental Food Program for Women, Infants, and~~
8 ~~Children by January 1, 2003, and shall report its findings to the~~
9 ~~Legislature by July 1, 2003.~~

10 SEC. 3. Section 123320 of the Health and Safety Code is
11 amended to read:

12 123320. (a) The department shall inform the retail food
13 vendors of, and include in the written agreement with the vendors,
14 guidelines consistent with Section 123315, and shall print on each
15 coupon the following:

16 (1) Specific supplemental foods and the quantities thereof for
17 which the coupon may be redeemed.

18 (2) The period of validity of the nutrition coupon.

19 (3) The maximum value for which the nutrition coupon may be
20 redeemed.

21 (b) To the extent feasible, the information required pursuant to
22 subdivision (a) shall be provided in a form that may be read by
23 optical scanning technology readily available to vendors. The
24 department shall, no later than ~~March 15, 2002~~ *July 1, 2013*, report
25 to the Legislature on the feasibility and costs of providing the
26 information in this form. This subdivision shall be implemented
27 only to the extent that funds for its purposes are appropriated in
28 the annual Budget Act or another statute.